

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED
August 22, 2023
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

DAWNETTE KATHLEEN GUERRERO)
)
Plaintiff)
)
v.)
)
CITY OF SAN ANTONIO, et. al.)
)
Defendants)

BY: _____ ps
DEPUTY

CIVIL NO. SA-23-CV-32-OLG

ORDER

On this date the Court considered the report and recommendation of United States Magistrate Judge Richard B. Farrer, filed in this case on April 3, 2023.

Docket no. 8. Plaintiff has filed objections. Docket no. 10. The Court has conducted an independent review of the record and has reviewed the applicable law. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). The Court finds that the Magistrate Judge's recommendation should be accepted.

It is therefore ORDERED that the Magistrate Judge's recommendation (docket no. 8) is ACCEPTED. All claims in Plaintiff's complaint (docket no. 12) are DISMISSED as frivolous and for failure to state an actionable claim, pursuant to 28 U.S.C. § 1915(e). However, Plaintiff may file an amended complaint within 21 days from the date below re-pleading her cause of action under 42 U.S.C. § 1983 for alleged malicious prosecution in violation of the Fourth Amendment, but only against those involved in the alleged violation as discussed in the Magistrate

Judge's recommendation. If Plaintiff fails to file an amended complaint within 21 days in compliance with this order, all claims will remain DISMISSED.

It is so ORDERED this 22 day of August, 2023.

A handwritten signature in blue ink, appearing to read "Orlando L. Garcia", written over a horizontal line.

ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE